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REMARKS

This is a full and timely response to the second non-final Official Action mailed October 16, 2006 which imposed a further Restriction Requirement in the present application. Accordingly, Applicant makes the following election and requests that examination of the elected claims on their merits be promptly conducted in light of the following remarks.

In a previous Restriction Requirement, claims 1-14 and 35-58 were withdrawn from consideration and are marked "withdrawn" above. Thus, claims 15-24 and 59 to 61 are currently pending and now subject to further restriction by way of an Election of Species.

In the outstanding Office Action, the Office alleges that claims 15-24 and 59 to 61 are drawn to three independent and patentably distinct species. Among the three species, the claims are grouped as follows:

Species 1: Claims 15-19 and 59-61

Species 2: Claims 15 and 20-23; and

Species 3: Claims 15 and 24-34.

Claim 15 is generic to all species.

In response, Applicant elects Species 1: Claims 15-19 and 59-61 for immediate examination. All other claims are labeled as "withdrawn" herein.

Applicant does not disclaim the subject matter of any withdrawn claim and reserves the right to file any number of continuation or divisional applications to the withdrawn claims or to any other subject matter described in the present application.

Additionally, Applicant hereby traverses the present Election of Species as being unnecessary and improper. The recent Action identifies the subject matter of the three species as follows: (1) a dopant application apparatus comprising a substrate advancement mechanism; (2) a dopant application apparatus comprising a second plurality of fluid ejection

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devices disposed on the frame; and (3) a dopant application apparatus comprising a ceramic formation mechanism associated with the frame.

Clearly, any or all of these distinguishing features of the various species may be included in a particular single embodiment. MPEP Section 806.04(f) states that, to be restricted, claims to different species should be mutually exclusive. "This may also be expressed by saying that to require restriction between claims limited to species, the claims must not overlap in scope." (MPEP § 806.04(f)). In the present case, as noted, all of the distinguishing features of the three "species" could clearly be incorporated into a single embodiment of the claimed subject matter. Therefore, the claims overlap in scope and are not mutually exclusive. For this reason, the election of species made in the recent Office Action is improper and should be withdrawn.

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An examination of claims 15-19 and 59-61 on their merits is now respectfully requested. Applicant further notes that if claim 15 is found allowable, Applicant will be entitled to the rejoinder of claims 20-34. MPEP § 821.04. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number 571-273-8300 on November 14, 2006. Number of Pages: 18


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